

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RANDY LAMAR BLACK,
Plaintiff,

v.

P. THOMPSON, et al.,
Defendants.

No. 2:21-cv-02167-TLN-EFB (PC)

ORDER

Plaintiff is a federal prisoner proceeding without counsel in a civil rights action brought under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971). Currently pending are the motions to compel and for summary judgment of defendants Allred and Birch, the only remaining defendants in this action. ECF Nos. 75 and 79. Plaintiff has not responded substantively to either motion, although he did file a motion for an unspecified extension of time, well after the due date for his response to either motion. ECF No. 82.

This case was filed in 2021. ECF No. 1. Defendants' motion to compel was filed on February 14, 2025, and defendants' motion for summary judgment was filed on May 20, 2025. ECF Nos. 75 and 79. Before filing his motion for an extension on June 17, 2025, plaintiff had not filed anything with this court since November 26, 2024. ECF No. 73.

On May 12, 2025, the court filed an order directing plaintiff to file either an opposition or a notice of non-opposition to defendants' motion to compel within seven days of the date of the order. ECF No. 76. Plaintiff was notified that his failure to do so might be deemed a waiver of any opposition to the granting of defendants' motion pursuant to Local Rule 230(l). *Id.*

1 Furthermore, plaintiff was cautioned that “failure to comply with this order may result in
2 sanctions, up to and including dismissal of this action pursuant to Federal Rule of Civil Procedure
3 41(b).” *Id.*

4 In his pending motion for an unspecified extension of time, plaintiff cites as good cause
5 his prison transfer and subsequent inability to access his legal paperwork. Although plaintiff
6 never notified the court of an updated address, as he is obligated to do, defendants and the court
7 became aware that plaintiff had been transferred to another prison. Accordingly, defendants re-
8 served their motion for summary judgment on plaintiff on May 30, 2025. ECF No. 81. On that
9 same day, the court re-served the May 12, 2025, order directing plaintiff to respond within seven
10 days of the date of the order. *See* Docket.

11 The court will grant plaintiff a further seven days from the date of this order to file an
12 opposition or notice of non-opposition to defendants’ motion to compel. ECF No. 75. The court
13 will grant plaintiff a further fourteen days from the date of this order to file an opposition or
14 notice of non-opposition to defendants’ motion for summary judgment. ECF No. 79. Plaintiff is
15 cautioned that no further extensions will be granted in this matter.

16 **ORDER**

17 For the foregoing reasons, plaintiff’s motion for an extension of time is GRANTED as
18 follows. Plaintiff is ORDERED to file an opposition or notice of non-opposition to defendants’
19 motion to compel within seven days of the date of this order. Plaintiff is also ORDERED to file
20 an opposition or notice of non-opposition to defendants’ motion for summary judgment within
21 fourteen days of the date of this order. Plaintiff is also ORDERED to keep the court informed
22 regarding his address.

23 No requests for extension will be entertained, and failure to comply with this order may
24 result in sanctions, up to and including dismissal of this action pursuant to Federal Rule of Civil
25 Procedure 41(b).

26 Dated: June 27, 2025

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28 EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE